

Application No. 09/933,679
Amendment dated October 17, 2005
After Final Office Action of July 17, 2005

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REMARKS

In view of the following remarks, applicant believes the pending application is in condition for allowance.

The office action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution of the present application, the claims remain as previously submitted, however, applicant wished to provide the following remarks which should clarify the patentable distinctions of the present invention as compared with the prior art.

Claims 1, 5, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Oliver (4,814,869) and Harman 94,249,207) in view of Tonnby (6,295,293). Claim 1 incorporates a TCP/IP circuit 33 which is clearly shown in Fig. 3 to be positioned between the server 32 and the network 2 (shown in Fig. 2). It is important to note that the TCP/IP circuit 33 is integral with the illustrated and claimed video camera unit.

Also, the video camera unit includes a sensor input for receiving a sensor signal as well as an alarm signal generation means for generating alarm data in response to a sensor signal and motion detection means to transmit alarm data and data regarding the alarm data including the sensor signal. As discussed in paragraph [0029] (page 2 of the published present application), a TCP/IP circuit receives video data and alarm data and is coupled to the network 2 for transmitting video data and alarm data to the network.

Thus, an important aspect of the invention is the inclusion in each video camera unit of sensor input means, alarm signal generation means, and a TCP/IP circuit.

In contrast, the primary cited reference to Oliver discloses a technique wherein an alarm signal is inputted by a computer through a system that is different from the network but there is no disclosure of a means to transmit the alarm signal to the network.

The Examiner relies on Tonnby for the disclosure of TCP/IP protocol. The portion of Tonnby relied upon by the Examiner (col. 9, l. 60-67) relate to the connection of a LAN to a

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terminal equipment interface when an IP application is running on the network terminal and thus, this can serve as a simple router of a home LAN to which different devices are connected (connecting a single burglar alarm). However, this merely recited the fact that TCP/IP protocol is commonly used with LAN connections. However, there is no disclosure or teaching that such a protocol may be used in connection with the other cited references so as to meet the specific arrangement of components within a video camera unit as set forth in claim 1.

In conclusion, applicant believes that the Examiner has not presented a *prima facie* case that the specific limitations of the claimed invention are met by the applied references. All that the Examiner has provided is the bare allegation that the individually cited prior art reference can be modified to render the invention obvious. It has been long established that the mere fact that a prior art reference can be modified does not make the particular modification obvious unless the prior art suggests the desirability of such a modification. The Examiner is required to demonstrate some logical reason apparent from positive, concrete evidence of record which justifies a rejection under 35 U.S.C. § 103. Obviousness cannot be established absent some teaching, suggestion, or incentive supporting a modification of the prior art so as to meet specific limitations of a rejected claim. See *In re Laskowski*, 871 F.2d 115, 117 (CAFC 1989).

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

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The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 20402-00626-US from which the undersigned is authorized to draw.

Dated: October 17, 2005

Respectfully submitted,

By 

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